

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SAMUEL I. HYLAND,
individually and on behalf of all
others similarly situated,

Plaintiff,

v.

J.P. MORGAN SECURITIES, INC.,
a Delaware corporation,

Defendant.

Civil Action No. 06-224 JJF

CLASS ACTION

**MOTION BY PLAINTIFF SAMUEL HYLAND
FOR APPOINTMENT AS LEAD PLAINTIFF
AND APPOINTMENT OF LEAD COUNSEL**

Plaintiff Samuel I. Hyland (“Plaintiff”) respectfully moves this Court to issue an Order: (1) appointing him lead plaintiff in the above-captioned litigation; and (2) appointing his chosen counsel as lead counsel.

This motion is made on the grounds that:

(1) Plaintiff has complied with applicable statutory notice provisions and is the “most adequate plaintiff” pursuant to the Securities Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995. *See* 15 U.S.C. §78u-4(a)(3)(B).

(2) Plaintiff meets the requirements of Fed. R. Civ. P. 23(a) because his claims are typical of the class members’ claims and because he will fairly and adequately represent the class.

(3) Plaintiff has selected and retained counsel with extensive experience in prosecuting securities class actions to serve as lead counsel.

In support of this motion, Plaintiff incorporates herein by reference the opening brief filed herewith.

WHEREFORE, Plaintiff respectfully requests the Court to grant the within motion. A proposed form of order is attached hereto.

DATED: June 12, 2006

Respectfully submitted,

/s/ Joseph N. Gielata
JOSEPH N. GIELATA (# 4338)
Attorney at Law
501 Silverside Road, No. 90
Wilmington, Delaware 19809
(302) 798-1096

Attorney for Plaintiff Samuel Hyland

CERTIFICATE OF SERVICE

I hereby certify that, on June 12, 2006, I electronically filed the *MOTION BY PLAINTIFF SAMUEL HYLAND FOR APPOINTMENT AS LEAD PLAINTIFF AND APPOINTMENT OF LEAD COUNSEL* with the Clerk of Court using CM/ECF which will send notification of such filing to:

Michael R. Robinson, Esq.
RICHARDS LAYTON & FINGER, P.A.
One Rodney Square
Wilmington, DE 19801

Counsel for Defendant

/s/ Joseph N. Gielata
Joseph N. Gielata (# 4338)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SAMUEL I. HYLAND,
individually and on behalf of all
others similarly situated,

Plaintiff,

v.

J.P. MORGAN SECURITIES, INC.,
a Delaware corporation,

Defendant.

Civil Action No. 06-224 JJF

CLASS ACTION

[PROPOSED]

ORDER APPOINTING LEAD PLAINTIFF AND LEAD COUNSEL

Having considered the Motion By Plaintiff Samuel Hyland For Appointment As Lead Plaintiff And Appointment Of Lead Counsel (the "Motion"), and good cause appearing therefore, the Court ORDERS as follows:

1. The Motion is GRANTED;
2. The Court, having considered the provisions of §21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995, hereby determines that Samuel Hyland is appointed as lead plaintiff in the above-captioned action; and
3. Lead plaintiff's selection of lead counsel is approved. Pursuant to §21D(a)(3)(B)(v), Joseph N. Gielata, Esq. is appointed as lead counsel.

IT IS SO ORDERED AND DECREED, this _____ day of _____, 2006.

THE HONORABLE JOSEPH J. FARNAN, JR.
UNITED STATES DISTRICT JUDGE